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October 18, 2019

Via ECF

Hon. Joseph A. Dickson, U.S.M.J.
United States District Court – District of New Jersey
Martin Luther King, Jr. Courthouse
50 Walnut Street
Newark, NJ 07102

RE: 431 E Palisades Avenue Real Estate, LLC v. City of Englewood, et al.
Docket No.: 2:19-cv-14515-BRM-JAD

Dear Judge Dickson:

As Your Honor is aware, our firm represents Defendants, City of Englewood and City Council of Englewood (collectively "Defendants"), in the above-referenced matter. Pursuant to Your Honor's text order (D.E. 35), this letter shall serve as a status update regarding the Defendants' position on potential settlement negotiations and mediation. The Council discussed the matter on October 7, 2019, and as was our previous inclination, the only potential for resolution of this matter would have to include an application before the Zoning Board of Adjustment. Since that time, however, on October 10, 2019, the Hon. Brian R. Martinotti, U.S.D.J., rendered his decision on Plaintiff's Order to Show Cause and preliminarily enjoined the Defendants from enforcing their zoning ordinance. As such, there does not appear to be any viable option for settlement at this time.

Respectfully submitted,

/s/ Daniel Antonelli
Daniel Antonelli

DA/vl

cc: All Counsel of Record (via ECF)